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January 21, 2014

BY FACSIMILEHonorable Nelson S. Roman
United States District Judge
The Hon. Charles L. Briant, Jr.
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Facsimile No.: (914) 390-4179

The application is ☒ granted.
☐ denied.
Nelson S. Roman, U.S.D.J.

Dated: Jan. 21, 2014

White Plains, New York 10601

*Defendant BANA's time to file
a reply on its cross-motion is extended to
Feb. 4, 2014. All motion papers are to be
filed on Feb. 4, 2014.*
Hutter v. Countrywide Bank, N.A., et al. filed on Feb. 4, 2014.
Case No. 09 CV 10092 (ER)

Dear Judge Roman:

We are counsel to defendant Bank of America, N.A., successor to named defendant Countrywide Bank, N.A. ("BANA"). We write with respect to the schedule for BANA's cross-motion under 28 U.S.C. §1927 (the "Cross-Motion"), which Cross-Motion was made after Plaintiff's motion for leave to file a Fourth Amended Complaint (the "Motion").

On January 6, 2014, the Court granted leave for BANA to make the Cross-Motion, which papers were served on January 7, 2014. [DE 104]. The Court required service of an opposition on January 21, 2014 and a reply on January 28, 2014.

On January 16, 2014, Plaintiff requested additional time for her reply on the Motion, to which we consented, but counsel's request was silent about the Cross-Motion. This Court granted the request to extend the deadline for reply on the Motion. [DE 105].

Assuming Plaintiff intended her request for an extension to also encompass opposition to the Cross-Motion and that she in fact serves such opposition on or before January 28, 2014, rather than by today, we respectfully request one week for our reply, to February 4, 2014. If we receive opposition today, we intend to serve a reply on or before the original deadline.

Respectfully submitted,


Kenneth C. Rudd

KCR:cla

cc: All appearing counsel (by facsimile)

